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PHA 4166.5 (288)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of A. Moorman et al.

Art Unit 1621

Serial No. 09/885,221

Filed June 20, 2001

Confirmation No. 3271

For METHOD OF USING (H⁺/K⁺)ATPase INHIBITORS AS ANTIVIRAL AGENTS

Examiner Shailendra Kumar

December 6, 2002

**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,

SIR:

The owner, Pharmacia Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,945,425. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

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I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney of record.

12/6/02
Date

James M. Warner
Signature
JAMES M. WARNER
Typed or Printed Name

☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

☒ PTO suggested wording for terminal disclaimer was

☒ unchanged

☐ changed (if changed, an explanation should be supplied)

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